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OCT 24 2005

SERIAL NO. 10/06,585

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: THEODORE D. WUGOFSKI Examiner: Kieu D. Vu  
Filed: 10/22/2001 Art Unit: 2173  
Docket No.: P1328US01  
Title: PROGRAMMABLE GRAPHICAL USER INTERFACE CONTROL SYSTEM  
AND METHOD

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIA TE A DOUBLE  
PATENTING REJECTION OVER A PRIOR PATENT**

*Statement of Ownership under 37 CFR §3.73(b)(1)(ii):*

The Assignee of record of both the above-identified patent application and U.S. Patent 6,317,143 is Gateway, Inc., located at Gateway Drive, Y04, North Sioux City, South Dakota, 57049-2000. The Assignment is recorded in the U.S. Patent and Trademark Office on Reel 009734 at Frame 0954. As Assignee, Gateway, Inc. is owner of a 100% interest in the above-identified patent application and U.S. Patent 6,317,143.

### *Terminal Disclaimer*

Gateway, Inc. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified U.S. Patent Application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as presently shortened by any terminal disclaimer of prior Patent No. 6,317,143. Gateway, Inc. hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of the prior patent, as

**TERMINAL DISCLAIMER**  
Serial Number: 10/016,585  
Filing Date: October 22, 2001

presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its fully statutory term as presently shorted by any terminal disclaimer.

Conclusion

The undersigned is empowered to act on behalf of the organization for submissions on behalf of Gateway, Inc.

Fees

The Commissioner is hereby authorized to charge the appropriate fee under 37 CFR §1.20(d) in conjunction with this Terminal Disclaimer to Deposit Account No. 50-0439. If necessary, please charge any additional fees, or credit any overpayment, to Deposit Account No. 50-439.

Respectfully submitted,

LEONARD & PROEHL, Prof. L.L.C.

By



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Oct 24, 2005